

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

EDISON HESTER,)	
)	
Petitioner,)	
)	
v.)	No. 4:18-CV-845 SNLJ
)	
EILEEN RAMEY,)	
)	
Respondent.)	

MEMORANDUM AND ORDER

This matter comes before the Court on petitioner Edison Hester’s “Motion for Extension of Time to Respond to Order Show Cause.” (Docket No. 8). Petitioner has also filed a “Motion for Immediate Orders to Produce Records in Order to Respond to Order Show Cause.” (Docket No. 9).

On September 24, 2018, the Court ordered petitioner to show cause why his application for writ of habeas corpus pursuant to 28 U.S.C. § 2254 should not be dismissed for failure to exhaust state remedies. (Docket No. 7). Petitioner was given twenty-one days in which to respond.

Petitioner seeks an extension of time in which to file his response. In his motion, he states that he needs more time to research certain issues. Good cause having been shown, the Court will extend petitioner’s time to respond to the September 24, 2018 order to show cause.

Petitioner’s motion for production asks this Court to order the state to turn over all his criminal files, in addition to any associated civil files concerning his mental health and mental health evaluations. While petitioner may seek the release of such records on his own, the Court is unable to provide petitioner with copies of his mental health file and criminal records. The Court

does not have such records in its possession. Furthermore, the Court cannot order the state to hand over these records as the state is not a party at this juncture of the proceedings. Therefore, petitioner's motion for an order to produce records is denied.

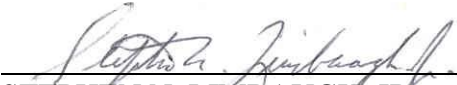
Accordingly,

IT IS HEREBY ORDERED that petitioner's "Motion for Extension of Time to Respond to Order Show Cause" (Docket No. 8) is **GRANTED**. Petitioner shall have an additional **thirty (30) days** from the date of this order to respond to the Court's September 24, 2018 order to show cause.

IT IS FURTHER ORDERED that petitioner's "Motion for Immediate Orders to Produce Records in Order to Respond to Order Show Cause" (Docket No. 9) is **DENIED**.

IT IS FURTHER ORDERED that if petitioner fails to comply with this Order, the Court will dismiss this action without prejudice.

Dated this 19th day of October, 2018.



STEPHEN N. LIMBAUGH, JR.
UNITED STATES DISTRICT JUDGE